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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

SECURITIES AND EXCHANGE  
COMMISSION

Plaintiff,

vs.

NAC FOUNDATION, LLC and ROWLAND  
MARCUS ANDRADE,

Defendants.

CASE NO.: 20-cv-4188-RS

**DECLARATION OF DARREN  
WINCZURA IN SUPPORT OF  
DEFENDANTS' MOTION TO DISMISS**

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Pursuant to 28 U.S.C. § 1746, I, Darren Winczura, hereby declare as follows:

1. I am over eighteen years of age, of sound mind, and otherwise competent to make this Declaration. The evidence set forth below is based on my personal knowledge.

2. I am a resident of Alberta, Canada. I am a farmer and I own Alfs Drilling & Supplies, Ltd., which is engaged in the business of water well drilling and well testing.

3. In or about 2016, I became a shareholder in CrossVerify, Ltd. and then Aten Coin, which is a predecessor of NAC Foundation, LLC.

4. From in or about July 2017 through November 2017, I purchased 1,000,000 ABTC tokens.

5. From in or about May 2020 through July 2020, I converted over 497,362 ABTC tokens for AML BitCoins.

6. Prior to being able to purchase tokens, convert my tokens to AML BitCoins or downloading my wallet, I had to agree to certain terms and conditions which were posted on the amlbitcoin.com website (and predecessor websites). I was not allowed to purchase tokens, convert to AML BitCoin or download my wallet without agreeing to the terms and conditions posted on the website.


7. Among other things, at the time that I purchased my tokens and converted my tokens to AML BitCoins, I knew and understood from the terms and conditions posted on the website that:

- (A) I was not purchasing the digital tokens as investments;
- (B) I could not expect a return on my investment;
- (C) I understood that the digital tokens were merely a medium of exchange and not a pooled interest in any business entity or common enterprise; and

(D) Neither NAC Foundation LLC or Rowland Marcus Andrade had any obligation to pay me a return or had any obligation to repay me or otherwise redeem the digital tokens.

**I declare under penalty of perjury that the foregoing is true and correct.**

Executed on October 19, 2020 in Phoenix, Arizona.

  
\_\_\_\_\_  
Darren Winczura

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**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

NAC FOUNDATION, LLC, a Nevada limited  
liability company,

Plaintiff,

vs.

COREY JODOIN, individually; BRANDI  
JODOIN, individually, DOES 1 through 10, and  
ROE CORPORATIONS I through 10,

Defendants.

CASE NO. A-18-770594-C  
DEPT NO. XIV

**DECLARATION OF JEFFREY A.  
TINKER IN SUPPORT OF PLAINTIFF'S  
REPLY IN SUPPORT OF MOTION FOR  
SUMMARY JUDGMENT AGAINST  
DEFENDANTS COREY JODOIN AND  
BRANDI JODOIN**

I, Jeffrey A. Tinker, declare and state as follows:

1. I am over the age of eighteen (18) years old and competent to testify on the matters set forth herein, of which I have personal knowledge, except as to those matters stated upon information and belief. As to those matters stated upon information and belief, I believe them to be true.

2. I am a resident of the State of Texas and licensed to practice law in that state.

3. My practice focuses on patent, copyright, and trademark law. I have experience in U.S. and foreign patent and trademark application preparation and prosecution. In addition, I have extensive experience negotiating intellectual property licenses, filing and defending reexaminations, oppositions, and cancellations at the USPTO, and have represented both plaintiffs and defendants in a variety of lawsuits involving intellectual property rights.

4. This Declaration is made in support of Plaintiff's Reply in Support of Motion for Summary Judgment (the "Reply") against Defendants Corey Jodoin ("Corey") and Brandi Jodoin

1 (“Brandi”)(together “Defendants”) filed concurrently in this case.

2 5. I have been told that one of the issues the Jodoins raise in this action is whether or  
3 not biometrics are part of the blockchain technology and impact access to the coin purchaser’s  
4 wallet.

5 6. I have read and understand the White Paper of AML BitCoin (AMLBit) and its  
6 Business Model, available on the amlbitcoin.com website, and I am very familiar with the  
7 technology described in the patent portfolio related to U.S. Pat. No. 9,985,964, entitled “Systems  
8 and Methods for Providing Block Chain-Based Multifactor Personal Identity Verification.”

9 7. To better understand this technology and confirm for myself that it worked as  
10 intended, on or about January 8, 2021, I created an AML Bitcoin account and downloaded the  
11 AML Bitcoin Wallet onto my personal computer. In order to create an account, I had to upload a  
12 photograph of my U.S. passport, a photograph of myself holding my U.S. passport, a short video  
13 recording of myself looking at the camera, and a short audio recording of myself reciting a text.

14 8. After completing the registration process, on or about January 13, 2021, I joined  
15 the AML BITCOIN Digital Identity beta and downloaded the ABTC Trust Utility App onto my  
16 iPhone. I logged into the ABTC App multiple times over the next several weeks. Before each  
17 login, the ABTC App conducted facial recognition before I was able to sign into the wallet and  
18 access my account. I believe the ABTC App was performing facial recognition because each time  
19 I attempted to log in, I had to grant permission for the ABTC App to access the camera on my  
20 iPhone. Once permission was granted, the ABTC App would display the camera’s field of view  
21 and I had to present my face to the camera. It normally took one to two second of holding my face  
22 in the center of the field of view for the ABTC App to confirm my identity. A few times, I had to  
23 reposition my face or change the angle of the phone with respect to my face before the ABTC App  
24 could confirm my identity. My iPhone is an older model that does not have Face ID.

25 Dated this 19th day of June, 2021.

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28 JEFFREY A. TINKER